

SUBSTITUTE ORDINANCE NO. BL2020-368

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from CS to ~~MUL-A~~ SP zoning for property located at 6228 Nolensville Pike, approximately 580 feet southeast of Bienville Drive and located with a Corridor Design Overlay District (6.55 acres), all of which is described herein (Proposal No. 2020Z-062PR-001).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from CS to ~~MUL-A~~ SP zoning for property located at 6228 Nolensville Pike, approximately 580 feet southeast of Bienville Drive and located with a Corridor Design Overlay District (6.55 acres), being Property Parcel No. 065 as designated on Map 173-00 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the uses of this SP shall be limited to the following:

Permitted:

Residential Uses: Single-family, Two-family, Multi-family, Elderly housing

Educational Uses: Personal instruction

Office Uses: General office, Leasing/sales office

Medical Uses: Hospice, Medical appliance sales, Medical office, Nursing home, Outpatient clinic and Rehabilitation services (excluding treatment facilities for severe psychiatric conditions and substance abuse issues)

Commercial Uses: Business service

Communication Uses: Audio/video tape transfer, Multi-media production, Printing and publishing

Utility Uses: Safety services

Recreation and Entertainment Uses: Greenway, Park

Other Uses: Pond/lake

Permitted Conditionally:

Educational Uses: Vocational School

Medical Uses: Veterinarian (with no external runs)

Commercial Uses: ATM (interior only; exterior ATM's not permitted)

Communication Uses: Communications hut

Industrial Uses: Artisan Manufacturing

Special Exception:

Recreation and Entertainment Uses: Temporary festival (weekend use only)

Section 3. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. This property shall not be eligible for short-term rental property (STRP) permits. Short Term Rental Property (STRP) – Owner Occupied and Short Term Rental Property (STRP) – Non-Owner Occupied uses shall be prohibited.

2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Roofing styles shall be limited to hip and gable style roofing.
4. A minimum of 2 total acres of open space shall be provided on the property including open space at the frontage area along Nolensville Road, landscape buffer yards at the rear and side yards, and a naturalized buffer between the rear property line and the crest of the hill at the high point of the property. Between the rear property line and the proposed development there will be a minimum of 1.75 acres of open space, which will include the rear landscape buffer yard, side landscape buffer yards, and naturalized buffer area.
5. A type C landscape buffer as described in Figure 17.24.240C of the Metropolitan Code shall be required along the side property lines of the subject property. A modified type C landscape buffer shall be installed along the rear property line featuring a type C1 buffer width of 30 feet with a type C3 landscape buffer density at 6 canopy trees, 3 understory trees, and 24 shrubs per 100 linear feet.
6. Native trees listed with the Metro Urban Forester in excess of 6" caliper shall be protected unless they are within the footprint of the building envelope, parking areas, streets or alleyways, and areas graded to accommodate these site features. The grading plan shall minimize disturbance of native vegetation to the greatest reasonable extent. All landscaping shall be native or adapted to the area and not identified as an invasive species by the Tennessee Invasive Plant Council.
7. The grading plan shall utilize existing site grades to the greatest reasonable extent.
8. Pole mounted and electronic signs shall be prohibited. Ground signs shall be of a monument type with a height of five (5) feet or shorter. Wall signs shall not take up more than 10% of the first-floor area of the wall face.
9. Private access drives shall be internal to the site and incorporate traffic calming measures as approved by Metro Public Works and the Metro Fire Marshal's Office.
10. Overnight tractor trailer and commercial construction vehicle parking shall be prohibited.
11. No detention areas shall be used in the Stormwater Management in support of this development.

Section 4. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 5. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee, based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increases the permitted density or floor area, adds uses not otherwise permitted, eliminates specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or adds vehicular access points not currently present or approved.

Section 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of MUL-A zoning district and the adopted Corridor Design Overlay District as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 2 7. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 070 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember John Rutherford

2020Z-062PR-001
Map 173, Parcel(s) 065
Subarea 12, Southeast
District 31 (Rutherford)
Application fee paid by: Ramston Development Company

A request to rezone from CS to ~~MUL-A~~ SP zoning for property located at 6228 Nolensville Pike, approximately 580 feet southeast of Bienville Drive and located with a Corridor Design Overlay District (6.55 acres), requested by Dale and Associates, applicant; Rebecca Bowling and Linda Gale Shores, owners.

